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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,996	10/17/2001	Hidetaka Anma	Q66764	4505

7590

09/25/2003

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EXAMINER

NEGRON, ISMAEL

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 09/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application N .

09/977,996

Applicant(s)

ANMA ET AL.

Examiner

Ismael Negron

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment filed on July 25, 2003 and supplemental amendment filed January 10, 2003, have been entered. Claim 5 has been amended. No claim has been added or cancelled. Claims 1-10 are still pending in this application, with claim 1 being independent.
2. The drawings were received on July 25, 2003. These drawings are acceptable.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Temme et al. (U.S. Pat. 6,934,635) in view of Willems et al. (U.S. Pat. 6,194,497).

Temme et al. discloses a vehicle headlamp having:

- **a front lens**, Figure 1, reference number 3;
- **the front lens having a base material**, column 2, lines 36-39;
- **the front lens also having an anti-static material coating on the base material**, Figure 1, reference number 4;

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- **the anti-static material being a surfac -activ agent**, Figure 1;
- **a light source**, Figure 1, reference number 2;
- **a lamp body**, Figure 1, reference number 1;
- **the lamp body having a front opening**, Figure 1; and
- **the front opening being covered by the front lens**, Figure 1.

Temme et al. teaches all the limitations of the claims, except the anti-static agent being formed within the base material, the front lens having an initial surface resistance of  $10^{13} \Omega/\text{cm}^2$  or less, or the anti-static agent being 2% wt of the base material of the front lens.

Willems et al. discloses an anti-static resin composition.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the resin composition of Willems et al. as the material of the front lens of Temme et al. to obtain a front lens with increased anti-static effectiveness to reduce, or even eliminate, the problems associated with the static attraction of particles (e.g. dust) which can decrease the efficiency of the headlamp, as stated in column 1, lines 17-50 of Willems et al..

In addition, it would have been obvious to one of ordinary skill in the art at the time the invention was made to obtain a front lens initial surface resistance of  $10^{13} \Omega/\text{cm}^2$  or lower, or making the antistatic agent 2% wt of the base material of the front lens, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. *In re Boesch*, 617 F.2nd 272, 205 USPQ 215 (CCPA 1980). In this case, the use of anti-static coatings to increase conductivity

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of a base material to prevent the accumulation of contaminants due to static charging, is old and well known in the art (as evidenced by both Temme et al. and Willems et al.).

Determining the optimal values of the required conductivity to obtain minimum accumulation, and the amount of material needed to be added to the base material, was considered a result of due experimentation.

Even further, it is noted that while the specification, as filed, states that the claimed 2% wt is sufficient to obtain the necessary conductivity range, the conductivity range is a function of both the composition and nature of the anti-static agent, and the amount of agent used.

4. Claims 1, 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aikawa et al. (U.S. pat. 6,435,702) in view of Willems et al. (U.S. Pat. 6,194,497).

Aikawa et al. discloses a vehicle headlamp having:

- **a light source**, Figure 1, reference number 18;
- **a lamp body**, Figure 1, reference number 10;
- **the lamp body having a front opening**, inherent;
- **a front lens covering the front opening of the lamp body**,  
Figure 1, reference number 12;
- **a main reflective surface**, Figure 1, reference number 16;
- **a extension reflector**, Figure 1, reference number 24;
- **the extension reflector being operable to reflect light from the light source**, inherent;

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- **a front end portion of the extension reflector being disposed in proximity to the front lens**, column 3, lines 52-54;
- **the extension reflector being provided with a metal film**, inherent; and
- **the extension reflector being formed separate from the main reflective surface**, Figure 1.

Aikawa et al. teaches all the limitations of the claims, except the front lens also having an anti-static material coating on the base material.

Willems et al. discloses an anti-static resin composition.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the resin composition of Willems et al. as the material of the front lens of Aikawa et al. to obtain a front lens with increased anti-static effectiveness to reduce, or even eliminate, the problems associated with the static attraction of particles (e.g. dust) which can decrease the efficiency of the headlamp, as stated in column 1, lines 17-50 of Willems et al..

5. Claims 6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aikawa et al. (U.S. Pat. 6,435,702) in view of in view of Willems et al. (U.S. Pat. 6,194,497).

The disclosures of Aikawa et al. and in view of Willems et al. teach individually, or suggest in combination, all of the features of the claimed invention, except the extension reflector being made integrally with the main reflective surface.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the extension reflector integrally made with the main reflective surface, since it has been held that forming in one piece an article which has previously been formed in a plurality of pieces and then put together, involve only routine skill in the art and it is devoid of an inventive step. See *Howard v. Detroit Stove Works*, 150 USPQ 164 (1863).

#### ***Relevant Prior Art***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Saito et al.** (U. S. Pat. 6,090,907), **LeGrand et al.** (U.S. Pat. 6,140,457) and **Lamanna et al.** (U.S. Pat. 6,372,829) disclose polymeric compositions with anti-static agents to prevent, among other things, dust particles from accumulating and decreasing performance of apparatus made with such compositions.

#### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

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***Conclusion***


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Negrón whose telephone number is (703) 308-6086. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea, can be reached on (703) 305-4939. The facsimile machine number for the Art Group is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Inr

September 8, 2003



ALAN CARIASO  
PRIMARY EXAMINER